

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Prasad DEVARAJAN et al.

Serial No.: 10/811,130

Filed: March 26, 2004

METHOD AND KIT FOR DETECTING THE EARLY ONSET OF RENAL
TUBULAR CELL INJURY

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Confirmation No. 2792

Group Art Unit 1641

Examiner: FOSTER, Christine E.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.56, 1.97 and 1.98

VIA EFS WEB

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.56, 1.97 and 1.98, Applicants request the Examiner to make of record the documents listed on the attached PTO/SB/08 form in connection with examination of the above-identified patent application. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB/08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in §1.56(b). In accordance with §1.98(a)(2), Applicants are submitting copies of non-patent literature.

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due.

The information pertaining to EP Application 04758356 (EP Patent 1616184); this application corresponds to Applicants' US application 10/811,130, and represents an opposition filed against the granted EP patent.

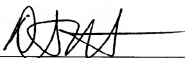
The information pertaining to a communication from Gifford, Krass, et al is unsolicited communication from the firm, relating to Applicants' US application 10/811,130. The communication includes a document entitled "PROTEST FILED UNDER 37 C.F.R. 1.291; AND ALTERNATIVELY, THIRD-PARTY CITATION OF PRIOR ART CITED UNDER 35 U.S.C. 301". Applicant's expressly do not recognize such document as a Protest under 37 CFR 1.291, or as the citation of prior art under 35 USC 301, and expressly deny giving consent to entry of such document as to protest under 37 CFR 1.291, or as the citation of prior art under 35 USC 301. Applicants also note that at page 16, the documents say that "Alignment of NGAL orthologues. Sequences are from Uniprot, alignment by ClustalW." was attached; however, no such document was attached in the communication.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

For: P. DEVARAJAN et al.

By



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